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MEMORANDUM FOR: Deputy Director for Administration

FROM: [REDACTED]
Director of Information Services

SUBJECT: Approval to Establish the Officially Released
Information Program

REFERENCE: Your Multiple Addressee Memorandum dated 13 February 1985
entitled "Proposal to Establish a Focal Point to Record
CIA Information Released to the Public" (DD/A 85-0517/1)

1. Your approval of this memorandum will establish a program to provide for the recording of certain types of CIA information officially placed in the public domain. The parameters of the program, the Officially Released Information Program, will be in accordance with the recommendations of the Officially Released Information Task Force established by the reference.

2. The Task Force observations and recommendations are attached to this memorandum. In general they provide that:

a. The Office of Information Services (OIS) will serve as the focal point for recording released information. The Information Review Officers in the directorates, the Freedom of Information Act Officers in the independent offices, and positions in the History Staff and OIS will be responsible for ensuring that copies of pertinent released information are made available to the focal point.

b. Most releases containing previously classified information will be recorded. However, because of privacy considerations, information released as the result of Privacy Act or "my file" requests by U.S. persons will not be recorded unless the component responsible for the information submits a version of the release to the focal point that fully protects the privacy of the individual.

3. Because of concerns that such a large amount of publicly accessible information in one place could have unforeseen ramifications, the Task Force recommended that initial costs be kept low. Accordingly, I will initially allocate only [REDACTED] positions to the effort and limit other costs to [REDACTED]

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4. With your concurrence, I will initiate the program on 1 October 1985. Regulations setting forth the authorities and responsibilities under the program, and any necessary changes in the Federal Register, will be initiated soon after.

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APPROVE:

Deputy Director for Administration

Date

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OFFICIALLY RELEASED INFORMATION TASK FORCE

OBSERVATIONS AND RECOMMENDATIONS

As the result of meetings on 8 March and 24 May 1985, the Officially Released Information Task Force made the following observations and recommendations:

1. OBSERVATIONS:

a. Establishing a focal point to record officially released information is a desirable objective. The Office of Information Services is the logical component to perform the service.

b. Some commercial services and individual researchers are more knowledgeable of what the CIA has released on particular subjects than the CIA is. Manuscripts provided to the Agency for review are generally well researched. There is no reason to believe that foreign governments do not have access to the same information.

c. Ad hoc releases, such as Directorate of Intelligence (DI) analyst speeches and declassified CIA documents in presidential libraries, need to be recorded.

d. Trying to go back and record everything previously released would prove futile. The DI and the Directorate of Science and Technology (DS&T) have no records and there would be a large problem in the Directorate of Operations (DO) with determining if the sanitized copies in DO case files are the versions actually released. Litigation releases may be available in the Office of General Counsel (OGC) since OGC is the office of record and litigation files are permanent.

e. A system containing only an index to released information--not the text--would not work well because of the difficulty in getting back to the actual release. A full text system is required.

f. If an on-line textual system were available, the DA and OGC would be the prime users followed by the DI. The DS&T and Office of Legislative Liaison would be low users because not much is released from there. The DO would probably also be a low user because of the expected large

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reduction in the number of documents requiring review under new legislation. The Public Affairs Office and History Staff would have little need for the system since they know what they have released.

g. In addition to helping with the processing of Freedom of Information Act (FOIA), Privacy Act (PA), and Executive order (EO) mandatory review cases, a central system would be a useful aid in manuscript review and to determine if a leak is really a leak.

2. RECOMMENDATIONS:

STAT a. Except for releases authorized by the CIA National Security Classification Guide [] and privacy-type releases (see paragraph b below), the program should provide for recording all officially released CIA information that:

- (1) was previously classified, or
- (2) is part of the content of a classified, previously classified, or classifiable CIA record, or
- (3) pertains to the CIA mission, functions, or organizational structure, or
- (4) pertains to any aspect of intelligence sources or methods, or
- (5) is part of the content of a record of another Government entity, was previously classified or classifiable, and the CIA is identified or identifiable as the source.

b. Privacy Act releases should normally not be recorded. Experience has shown that the type of information contained in releases to U.S. persons who have requested information on themselves is normally of no or marginal interest to the Agency, and maintaining such information in a central system raises legal and ethical questions related to an individual's right to privacy. Therefore, such information normally need not and should not be recorded. In the event a component authorizing a privacy-type release determines the release contains information warranting recording, that component should provide the focal point with a sanitized version of the release that fully protects the privacy of the individual. As with other information that has not been subjected to FOIA or EO review procedures (see paragraph g below), such sanitized versions should be returned to the originating component for FOIA or EO review before being released from the focal point to the public. In summary, Privacy Act or "my file" requests should not be recorded unless they have been sanitized in such a way as to protect the privacy of the requester, and such information should not be released to the public unless it has been subjected to additional review under FOIA or EO review procedures.

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c. Once there is knowledge as to the type of CIA documents being released, a determination should be made as to whether documents provided to the National Archives and Records Administration under the Historical Review Program need be recorded. Predecessor organization documents need not be recorded.

d. The program should record intelligence-related information that has been officially acknowledged by the Agency. Such official acknowledgments may be in the form of, but are not limited to:

- (1) releases under the FOIA and mandatory review provisions of EO 12356,
- (2) officially sanctioned speeches,
- (3) media releases,
- (4) mail to members of congress,
- (5) mail to private individuals,
- (6) affidavits and judicial testimony,
- (7) congressional testimony,
- (8) declassified or otherwise publicly accessible material located outside the Agency, and
- (9) material prepared for commercial elements of the private sector.

e. The Information Review Officers in the directorates and the FOIA Officers in the independent offices should be responsible for ensuring that copies of all pertinent released information are made available to the focal point. Such responsibility should also be assigned to positions in the History Staff and OIS's Information and Privacy and Classification Review Divisions. //

f. With the exception of privacy releases (see paragraph 2b above), released information should be provided to the focal point by the component responsible for placing the information in the public domain; that is, it should be forwarded to the focal point from the point of release.

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g. Information that has not been subjected to FOIA or EO review procedures should be reviewed under such procedures by the originating component before being released from the focal point to the public.

h. Information recorded by the focal point would be subject to searches under the FOIA. Because the ramifications of such a large amount of publicly accessible data are unknown, costs should initially be kept low and the program should be evaluated within one year of its inception. Of particular concern is information released in error, information that should not be released again because of a change in circumstances, and information that is classified in the aggregate (the mosaic effect). /

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